

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

286 RIDER AVE ACQUISITION LLC,

Case No: 21-11298 (LGB)

Debtor.

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PRELIMINARY LIMITED STRUCTURAL EVALUATION OF
RAND ENGINEERING & ARCITECTURE DPC

ROBINSON BROG LEINWAND
GREENE GENOVESE & GLUCK P.C.
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875 Third Avenue, 9th Floor
New York, New York 10022
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COVER SHEET

Date: March 25, 2022

To: Lee E. Buchwald
E-mail: Lbuchwald@buchwaldcapital.com

cc: Fred B. Ringel
E-mail: fbr@robinsonbrog.com

From: Eugene Gurevich, PE

Re: 286 Rider Avenue
Limited Structural Evaluation

Number of Pages (including cover & photo supplement): 13

COMMENTS:

Enclosed please find RAND's Limited Structural Evaluation report and photographic supplement, as requested. If you have any questions, please do not hesitate to contact us.

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**RAND'S INFRARED THERMOGRAPHY TEAM CAN PINPOINT BUILDING LEAKS.
CONTACT US FOR EFFICIENT AND COST-EFFECTIVE LEAKAGE EVALUATIONS.**



March 25, 2022

Buchwald Capital Advisors LLC
200 Park Avenue, Suite 1700
New York, NY 10166-00005
Att: Lee E. Buchwald

Re: 286 Rider Avenue
Limited Structural Evaluation

Dear Mr. Buchwald:

As requested, I visited the above-captioned property on March 23, 2022 in order to observe the warehouse building and evaluate the condition of the structure. This Report documents RAND's findings, conclusions and recommendations pertaining to the evaluation. A photo supplement is appended.

286 Rider Avenue is a 20,000 square foot single-story fireproof commercial warehouse, constructed circa 1959 (according to the Certificate of Occupancy, CO #26758 available via the NYC Department of Buildings website). The building is located in the lot enclosed by Rider Avenue and East 139th Street (to the east and south, respectively) and adjoining buildings directly to the north and east (Clean Rite Laundry and Western Beef Supermarket, respectively) in the Mott Haven neighborhood of the Bronx.

The building structure comprises perimeter brick masonry and concrete masonry unit (CMU) bearing walls and interior steel columns supporting a corrugated metal deck roof framed with steel beams. The warehouse floor is exposed concrete slab-on-grade, with finished office spaces at the northwest corner delineated from the main space with CMU partitions.

It is my understanding that construction work had recently been performed by a third party at the property, and you would like RAND to review existing conditions to endeavor to determine whether the structural integrity of the building has been compromised. No drawings for the building were available for review and no probes were performed as part of this evaluation. Observations were limited to visible areas of the building from the interior, roof, and adjoining sidewalks along Rider Avenue and East 139th Street.

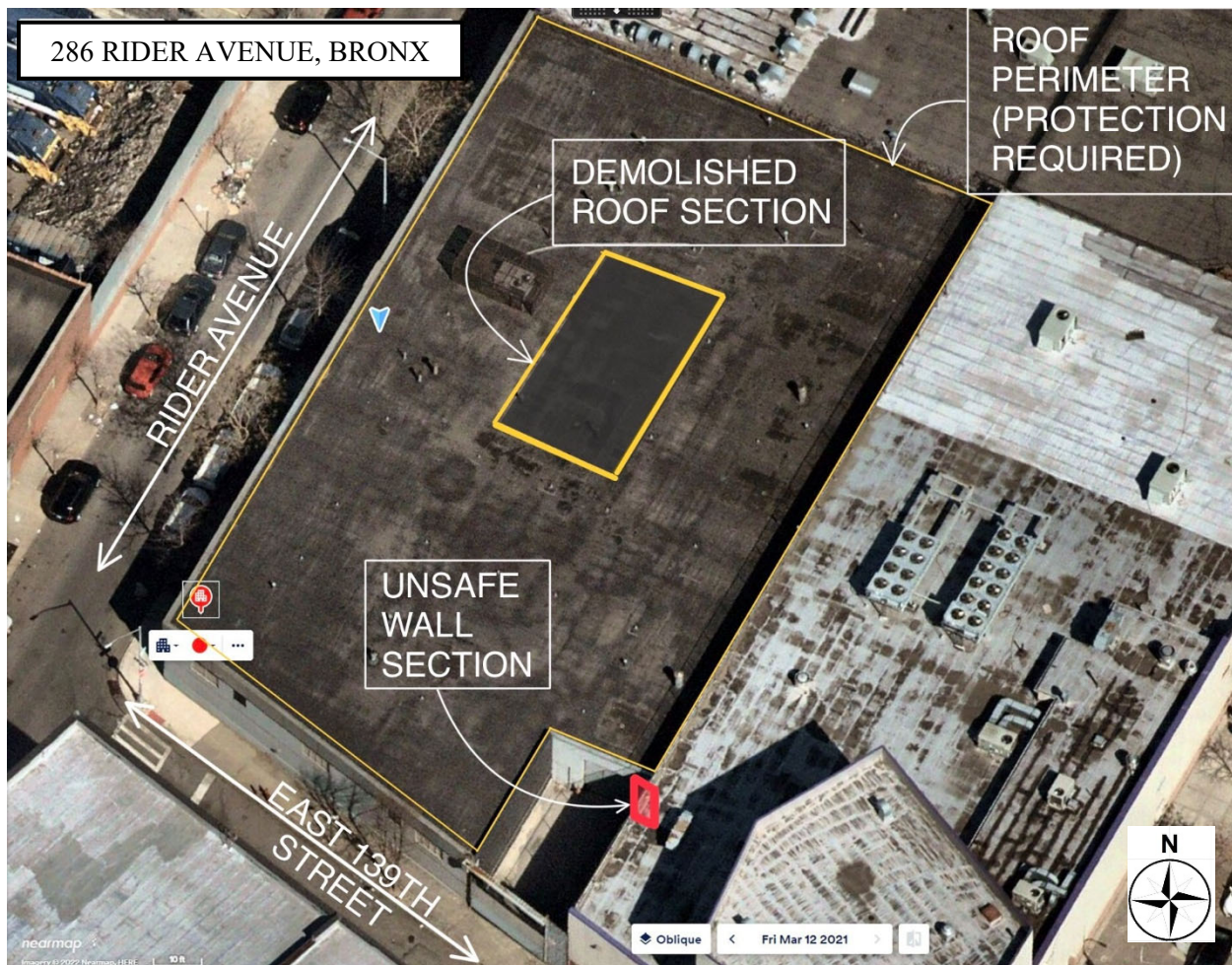


Figure 1. Location and orientation of the building at 286 Rider Avenue (via nearmap.com).

Findings:

- The roofing system has been completely removed, exposing the interior spaces and structure to the elements. Standing water is present throughout. The finished office spaces in the northwest corner are completely waterlogged, with ceiling finishes and insulation falling to the floor (photos 1 through 4).
- Two column bays of the roof structure have been completely removed, including metal deck and steel beams. It appears that the steel has been torch cut over the remaining girders that now frame the perimeter of a new opening (photos 1 and 5).
- The roof metal deck is significantly deteriorated, with holes and daylight visible throughout (photo 6). A walkthrough of the deck (including observation of attachment) from the rooftop was not performed due to safety concerns.
- The exterior wall section directly east of southeast gate opening (east jamb) appears to have been subjected to significant impact and is severely damaged. A large portion of masonry has fallen away and the remaining section is twisted and shifted out of plane, with cracking along the top and bottom (photos 7 and 8). **This condition is unsafe and requires stabilization and protection measures.**

- A large opening has been cut into the concrete floor beneath the opening in the roof. It appears that underlying grade has been partially excavated and subsequently filled with an uncompacted pile of earth (photo 9).
- A large crack was observed in the interior CMU partition. This condition is indicative of prior movement but does not appear to be a safety hazard at this time (photo 10).
- Beyond the open/exposed roof and localized southeast corner wall condition, the building superstructure including perimeter masonry bearing walls, interior steel columns, and roof steel framing appear to be generally intact and stable (photos 11 and 12).
- The adjoining buildings to the north (supermarket) and east (laundromat) appear to be separated structurally at the property line. Barbed wire fences are situated at the roof perimeter preventing access to the site from the adjoining rooftops (photos 13 and 14).
- The warehouse currently appears to be an active construction site filled with heavy construction equipment and materials suitable for demolition, excavation, and foundation work.
- Based on a search of the NYC Department of Buildings website, it appears that a permit to demolish the building was issued on March 11, 2022 (Application #220690063 for DM – Demolition filed as self-certified by H&O Engineering, DPC). A separate application for a new 8-story residential building including structural, foundation, support of excavation, mechanical, plumbing, standpipe and sprinkler is currently under review pending zoning approval and resolution of objections (Application #220707929 NB – New Building filed by Fischer Makooi Architects, PLLC.).

Conclusions and Recommendations:

The building structure is currently open and exposed to the elements due to recent demolition activities, which include removal of the roofing system, partial demolition of the roof deck and steel framing and demolition of a section of concrete slab-on-grade floor likely pursuant to installation of new foundations. The remaining structure appears to be generally stable with the exception of localized wall damage at the southeast corner.

It is understood that, while a permit to demolish the building has been issued, the property is currently undergoing a bankruptcy proceeding and ownership dispute which may delay this work. If demolition cannot proceed at this time, then the following measures are recommended to secure the property:

- **The masonry wall section directly east of the southeast gate opening (east jamb) is unsafe and requires stabilization and protective measures. It is recommended that temporary shoring, bracing and protection be installed and/or that the wall section is carefully removed in a controlled fashion in order to prevent local collapse of the wall section in the future.**
- The entire structure is currently exposed to the elements due to the lack of roofing system and large and small openings through the metal deck. Temporary protection to divert rain water should be installed to protect the structure and foundations from ongoing deterioration and eventual destabilization. Roof protection should incorporate securing the remaining metal deck to avoid portions becoming dislodged.
- The roof hatch at warehouse northeast corner should be closed off to prevent access to the roof which does not appear safe to walk on. It is possible that sections of the deck between framing are too weak to support snow loads and may fail in the future. Since the building will eventually be demolished, replacement or reinforcement is impractical. The roof should be re-evaluated by a structural engineer ahead of next winter for further recommendations. In general, the building should be secured and access restricted to only authorized personnel.
- As a precaution, the large partition crack at the southeast corner of the office enclosure should be monitored for movement. It is recommended that a crack monitor be installed so that any widening or shifting can be easily observable.
- It is recommended that the property be periodically monitored by a qualified professional to confirm the structure remains stable and secure.

The cost to execute protective measures recommended above ranges from \$15,000 to \$30,000 for the localized stabilization of the southeast corner and \$100,000 to \$200,000 to construct temporary roof protection with diverters. Please keep in mind that these budget projections are preliminary approximations only and need to be confirmed by the solicitation of competitive bids from qualified contractors. These preliminary projections exclude engineering, inspection and expediting fees, and other related costs.

The contents of this Report are correct to the best of our knowledge and belief. This Report and the conclusions stated herein are, however, limited to actual knowledge based upon visual observation of visible portions of the subject areas of the property, undertaken with due diligence. Physical testing and structural analyses to assess compliance with building codes were not within the scope of RAND's investigation.

At your request, RAND can provide a proposal for our services pursuant to the installation of temporary stabilization/protection measures and monitoring of the structure. This will include solicitation of competitive bids from qualified contractors and, in the event this work cannot be performed under the existing permit, preparation of drawings and specifications, filing with the NYC Department of Buildings (DOB), site visits to ensure compliance with the project documents, and performance of code-mandated Special Inspections as required.

If you have any questions regarding this evaluation, please do not hesitate to contact me.

Thank you for the opportunity to be of service.

Sincerely,
RAND Engineering & Architecture, DPC



Yevgeniy (Eugene) Gurevich, PE
Senior Structural Engineer
Construction Phase Director

EG:jv:pev
Encls.

cc: Fred B. Ringel, plus encls.

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**286 RIDER AVENUE
PHOTOGRAPHIC SUPPLEMENT TO
RAND MARCH 25, 2022 LIMITED STRUCTURAL EVALUATION**



Photo 1. The warehouse interior is open and exposed to the elements.



Photo 2. The roofing system has been completely removed down to deck.

RAND ENGINEERING & ARCHITECTURE, DPC

159 WEST 25TH STREET, NEW YORK, NY 10001 ■ P: 212.675.8844 ■ F: 212.691.7972 ■ randpc.com



Photo 3. Finished office spaces are waterlogged with finishes and insulation falling to the floor.

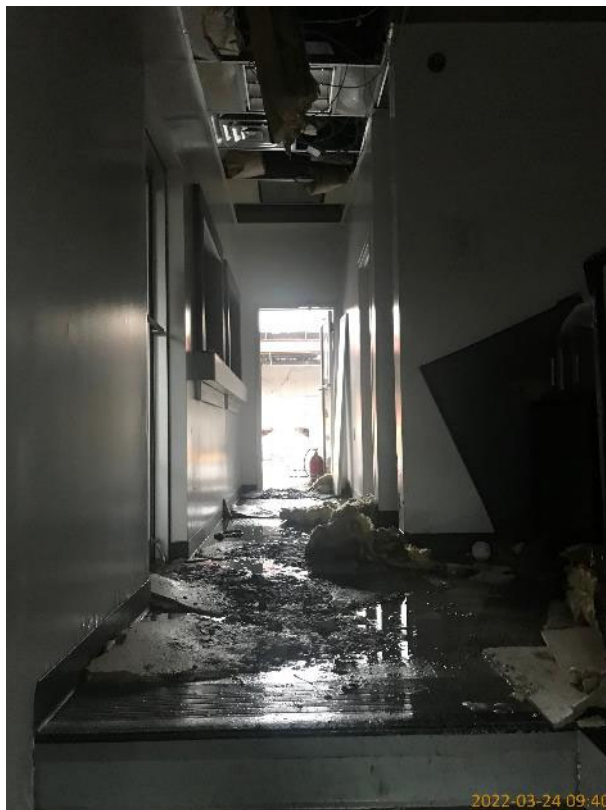


Photo 4. Finished office spaces are waterlogged with finishes and insulation falling to the floor.



Photo 5. Two column bays of the roof structure have been removed.



Photo 6. The roof metal deck is significantly deteriorated.



Photo 7. Severe wall damage at the southeast corner.



Photo 8. Wall structure at the southeast corner is compromised and requires stabilization and protection measures.



Photo 9. A section of the warehouse floor slab-on-grade has been cut away, partially excavated, and filled with uncompact earth.



Photo 10. Crack in CMU wall at southeast corner of the office enclosure.



Photo 11. The building superstructure including perimeter walls, interior columns, and remaining steel framing appears generally intact.



Photo 12. The building superstructure including perimeter walls, interior columns, and remaining steel framing appears generally intact..



Photo 13. Structural separation along the north property line.



Photo 14. Barbed wire fencing at roof level prevents access from adjoining rooftops.